REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-21 are pending. Claims 1-21 stand rejected.

Claims 1, 3, 7, 11, 12, and 18 have been amended. No claims have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

Claim 3 is objected to because of informalities.

Applicants have amended claim 3 to replace "an" with "the", as the Examiner suggested.

Applicants, however, have not amended claim 3, in line 2, to "the detector is a monitor photo-diode". Applicants respectfully submit that such amendment is not necessary.

If the Examiner still insists on "monitor photo-diode" amendment of claim 3, the Examiner is invited to clarify his position to the applicants.

The Examiner has rejected claim 7 under 35 U.S.C. §112, second paragraph.

Applicants have amended claim 7 to replace "the monitor photo-diode" in line 4 to "the optical power monitor".

Therefore, applicants respectfully submit that the Examiner's rejection of claim 7 under 35 U.S.C. §112, second paragraph has been overcome.

Claims 1-3, 5-7, and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by EP Patent No. EP 0060033 A of Malyon et al. ("Malyon").

Amended claim 1 reads as follows:

An apparatus, comprising:

an optical transmitter having a resonance wavelength characteristic that varies with a refractive index of the optical transmitter, wherein the optical transmitter receives a narrow band injected wavelength signal from an incoherent light source;

a controller that substantially matches a resonant wavelength of the optical transmitter to the wavelength of the injected wavelength signal by changing the refractive index of the optical transmitter; and

a detector to measure a parameter of the optical transmitter to provide a feedback signal to the controller to control the refractive index of the optical transmitter, wherein the detector measures the parameter to detect a local dip in an increasing trend of the parameter indicating that the resonant wavelength of the optical transmitter and the wavelength of the injected wavelength signal are substantially matched.

(emphasis added)

As set forth above, amended claim 1 requires the detector that measures the parameter to detect a local dip in an increasing trend of the parameter indicating that the resonant wavelength of the optical transmitter and the wavelength of the injected wavelength signal are substantially matched.

Malyon discloses a light source that comprises two lasers. More specifically, Malyon discloses the following:

> This position is maintained by using the circuit 22 in conjunction with the phase sensitive detector 18 and the temperature and bias tuning circuit 16 together with the beam splitter 20. The circuit 22 is used to impose a small LF current on the oscillator bias current so that a small low frequency signal appears in the output of the modulator. This low frequency output is phase detected by the phase sensitive detector 18 and the optimum operating point is maintained by feeding back the signal from the phase sensitive detector to control the bias applied to the laser 11. The feedback arrangement operates to adjust the bias of the laser 11 so that the laser 11 operates at its peak power.

(Malyon, p. 6, line 26-p. 7, line5)(emphasis added)

Thus, Malyon merely discloses the feedback arrangement operating to adjust the bias of the laser so that the laser operates at its peak power. In contrast, amended claim 1 refers to measuring the parameter to detect a local dip in an increasing trend of the parameter indicating

that the resonant wavelength of the optical transmitter and the wavelength of the injected wavelength signal are substantially matched.

Because Malyon fails to disclose all limitations of amended claim 1, applicants respectfully submit that claim 1, as amended, is not anticipated by Malyon under 35 U.S.C. § 102(b).

Given that claims 2-3, 5-7, and 11 depend from amended claim 1, and add additional limitations, applicants respectfully submit that claims 2-3, 5-7, and 11 are not anticipated by Malyon under 35 U.S.C. § 102(b).

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Malyon, in view of U.S. Patent No. 6,600,760 of Green et al. ("Green").

As set forth above, Malyon fails to disclose measuring the parameter to detect a local dip in an increasing trend of the parameter indicating that the resonant wavelength of the optical transmitter and the wavelength of the injected wavelength signal are substantially matched, as recited in amended claim 1.

Green, in contrast, discloses tuning an external cavity laser (Figures 2AB, col. 5, line 23-col. 6, line 17), and also fails to disclose such limitations of amended claim 1.

It is respectfully submitted that Malyon does not teach or suggest a combination with Green, and Green does not teach or suggest a combination with Malyon. It would be impermissible hindsight, based on applicants' own disclosure, to combine Malyon and Green.

Furthermore, even if Malyon and Green were combined, such a combination would still lack measuring the parameter to detect a local dip in an increasing trend of the parameter indicating that the resonant wavelength of the optical transmitter and the wavelength of the injected wavelength signal are substantially matched, as recited in amended claim 1.

Given that claim 4 depends from amended claim 1, and adds additional limitations, applicants respectfully submit that claim 4 is not obvious under 35 U.S.C. § 103(a) over Malyon in view of Green.

Claims 8-10 and 13-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Malyon, in view of U.S. Patent Publication No. US2001/0004290 of Lee et al. ("Lee").

As set forth above Malyon fails to disclose measuring the parameter to detect a local dip in an increasing trend of the parameter indicating that the resonant wavelength of the optical transmitter and the wavelength of the injected wavelength signal are substantially matched, as recited in amended claim 1.

Lee, in contrast, discloses a WDM source with an incoherent light injected Fabry-Perot laser diode, and also fails to disclose such limitations of amended claim 1.

It is respectfully submitted that Malyon does not teach or suggest a combination with Lee, and Lee does not teach or suggest a combination with Malyon. It would be impermissible hindsight, based on applicants' own disclosure, to combine Malyon and Lee.

Furthermore, even if Malyon and Lee were combined, such a combination would still lack measuring the parameter to detect a local dip in an increasing trend of the parameter indicating that the resonant wavelength of the optical transmitter and the wavelength of the injected wavelength signal are substantially matched, as recited in amended claim 1.

Given that claims 8-10 and 13-21 contain the limitations that are similar to those limitations discussed with respect to amended claim 1, applicants respectfully submit that claims 8-10 and 13-21 are not obvious under 35 U.S.C. § 103(a) over Malyon in view of Lee.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If the Examiner believes a

telephone conference would expedite in the prosecution of the present application, the Examiner is invited to call the undersigned at (408) 720-8300.

If there are any additional charges, please charge Deposit Account No. 022666.

Respectfully submitted,

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